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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,208	11/04/2003	Kenji Uchiyama	9319S-75/DVA	5177
27572	7590	11/16/2005	EXAMINER	
HARNES, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			AHMED, SHEEBA	
			ART UNIT	PAPER NUMBER
			1773	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/701,208

Applicant(s)

UCHIYAMA, KENJI

Examiner

Sheeba Ahmed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 19, 2005 has been entered.

### ***Response to Amendments***

2. Amendments to claims 1 and 5-10 have been entered in the above-identified application. New claim 11 has been added. Claims 1 and 3-11 are now pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 5-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Amendments have been made to independent claims 1 and 6-10 to add the limitation that a boundary exists "between the first and second adhesive layer". However, it is not clear what is meant by such a limitation. Applicants point to the

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preferred embodiments depicted in Figures 8A and 8B for support for such an amendment. The Examiner would like to point out that Figures 8A and 8B illustrate that a boundary exists between the first and second adhesive layer such that the plurality of electrically conductive particles are within the first adhesive layer and in a plane adjacent to the boundary between the first and second adhesive layers.

Furthermore, it is not clear what is meant by "unevenly distributed within the first adhesive layer" in claim 5. Are the conductive particles at the interface of the boundary or distributed throughout the first adhesive layer?

Appropriate amendment or clarification is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki (US 4,696,764).

Yamazaki discloses an anisotropically conductive composition, which provides electric conductivity between facing electrodes but maintains electric insulation in the lateral direction across the facing direction (Column 1, lines 5-10). The composition comprises (a) a nonconductive base resin and (b) electrically conductive particles incorporated and dispersed in the resin (Column 1, lines 24-27). Example 1 states that the anisotropically conductive composition is printed on a terminal to have a thickness

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of 30 micrometers and contains particles having a diameter of 0.5 micrometers (**hence meeting the limitation that the particle diameter of the electrically conductive particles is smaller than ½ of the thickness of the first adhesive layer**). The composition can also be used to connect circuits with each other and terminals of passive elements (condensers, coils) and active elements (IC, diodes, transistors) of electric component parts. With regards to the limitation that the first adhesive layer and second adhesive layer are formed of the same material, the Examiner takes the position that such a limitation simply implies that the anisotropic material of the claimed invention is simply an adhesive layer containing electrically conductive particles and the product of the claimed invention is the same as that disclosed in the above reference.

### ***Response to Arguments***

5. Applicant's arguments filed on January 27, 2005 have been fully considered but they are not persuasive. Applicants traverse the rejection set forth under 35 U.S.C. 102(b) as being anticipated by Yamazaki (US 4,696,764) and submit that Yamazaki does not disclose an anisotropic conductive adhesive agent for electrically connecting first and second terminals. Applicants further argue that Yamazaki does not teach that the first layer has been adapted for application to the first terminal and that the second layer has been adapted for application to the second terminals. The Examiner would like to point out that Yamazaki specifically teaches that their composition can be used to connect circuits with each other and terminals of passive

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elements (condensers, coils) and active elements (IC, diodes, transistors) of electric component parts. Furthermore, the language of claims 9 and 10 does not positively recite that the a boundary exists between the first and second adhesive layer such that the plurality of electrically conductive particles are within the first adhesive layer and in a plane adjacent to the boundary between the first and second adhesive layers and instead state that the boundary exists before the first and second terminals are connected (hence indicating that the boundary does not exist in the connecting structure).


### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheeba Ahmed whose telephone number is (571)272-1504. The examiner can normally be reached on Mondays and Thursdays from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571)272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sheeba Ahmed  
Art Unit 1773  
November 10, 2005